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NOTIFICATION.

(LAW DEPARTMENT).

No LAW 177 LCR 62, dated Bangalore, the 3rd November 1962

Ordered that the accompanying Notification No 4 G S R 1309, dated the 1st October 1962, of the Ministry of Home Affairs, entrusting State Governments the functions of the Central Government under the provisions of the Arms Act, 1959, Arms Rules, 1962, and certain Notifications mentioned thereon, which has been published in the *Gazette of India*, Extraordinary, Part II, Section 3, sub-section (i), dated the 1st October 1962, be republished in the *Mysore Gazette*, for general information.

By Order and in the name of the Governor of Mysore,

S SRIPADARAJ,
359 *Under Secy. to Govt, L.D.*

GOVERNMENT OF INDIA.

MINISTRY OF HOME AFFAIRS.

NOTIFICATION

New Delhi, the 1st October 1962

G S R 1309—In exercise of the powers conferred by sub-section (1) of section 43 of the Arms Act 1959 (54 of 1959) and clause (1) of article 258 of the Constitution, the President, with the consent of all the State Governments, entrusts to each such Government the functions of the Central Government under the provisions of the Arms Act, 1959, the Arms Rules, 1962, and the notifications mentioned in column 1 of the Schedule below subject to such conditions as are specified in column 2 thereof and also to the general conditions hereinafter mentioned, namely —

(*a*) that the State Government shall, in the exercise of these functions, be subject to the like control by the Central Government as was exercisable by it immediately before the 1st October, 1962,

(*b*) that the State Government shall observe the policies and instructions laid down by the Central Government and shall not enunciate new policies or issue instructions inconsistent with those of the Central Government without the prior consent of that Government,

the entrustment is limited to the territories under the administration of the State Government and is without prejudice to the overall jurisdiction of the Central Government

SCHEDULE

Provisions of the Act, Rules or notifications 1	Conditions, if any, subject to which functions have been entrusted 2
I *Sections of the Act*	
2(4), 4, 10(2), 13(3)(a)(ii)	Nil
17(9)	This enstrustment is limited to the territories under the administrative control of the State Government and is without prejudice to the power of the Central Government to revoke or suspend licences throughout the whole or any part of India
19(1), 22(2), 23, 24	Nil
34 ...	Sanction is to be accorded in consultation with the local Customs authorities
42(1), 45(b)(i), 45(b)(iii) .	Nil
II The Arms Rules, 1962	
(1) *Rules*—	
2(c)	Nil
11 ...	The restriction is limited to the territories under the administrative control of the State Government.
26, 27, 42(1), 43(3), 48(1)	Nil
57(3) ..	The entrustment under this rule is of the following power only, namely, by general or special order to remit or reduce the fees payable in respect of the grant or renewal of any licence— (*a*) for the transport or possession of sulphur in reasonable quantities proved to the satisfaction of the State

1	2
	Government to be required in good faith for medicinal agricultural, manufacturing or industrial purposes other than the manufacture of ammunition, or—
	(*b*) under rule 28 to any person for the import of any arms or ammunition in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of persons and property
61 .	Nil
(ii) *Schedules*—	
II–Item Nos 2, 3(g) and 21	Nil
III–Licence Form—	
II, condition 3,	
III, conditions 4, 7 and 10	
III-A, condition 3,	
IV, conditions 5 and 6,	
V, conditions 6 and 7,	
VI, condition 4,	
VIII, condition 5,	
IX, conditions 2, 3, 8, 11, 12 (proviso) and 14 (in the case of West Bengal and Assam only),	Nil
X, conditions 4 and 5	
XI, conditions 2, 3, 7, 10, 11 (proviso) and 13 (in the case of West Bengal and Assam only)	
XII, XIII, conditions 2, 3, 6, 9, 10 (proviso) and 12 (in the case of West Bengal and Assam only).	
XIV, conditions 3 and 8	
XV, condition 3(a)(ii)	
III *Notifications*—	
(1) No 15/13/59(V)-P IV, dated the 13th July, 1962, [G S R 991 published in the Gazette of India, Part II, Section 3(i), dated 28th July, 1962]	

1	2
Proviso (b)(i) and (b)(ii)	Nil
Schedule I—column 4 of entry 3(b)	Nil
column 4 of entry 4	Nil
column 1 of entry 6	Nil
Schedule II— entry I-clauses (3)[proviso in column 2], (4) (5), (9)(a), (9)(b), 12(b), (13)(a), and (13)(b) entry 2-proviso in column 2 entry 3-proviso in column 2	Nil

(II) No 15/13/59(VI)-P IV dated the 13th July, 1962, (G S R No 993, published in the Gazette of India, Part II, section 3(i), dated 28th July 1962)

Table—entry 5

[No F. 18/2/62(I)-P IV]

FATEH SINGH, Jt. Secy.